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8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-726

13 **CARRIE MARIE MEYER**
14 **5557 Twin Lakes Ct J-7**
Cincinnati, OH 45247

A C C U S A T I O N

15 **Registered Nurse License No. 681525**

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
22 Consumer Affairs.

23 2. On or about June 26, 2006, the Board of Registered Nursing issued Registered
24 Nurse License Number 681525 to Carrie Marie Meyer (Respondent). The Registered Nurse
25 License expired on August 31, 2009, and has not been renewed.

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JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811, subdivision (b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.

STATUTORY PROVISIONS

6. Section 2761 of the Code states:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

....

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

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COST RECOVERY

7. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licentiate to comply subjecting the license to not

1 being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs
2 may be included in a stipulated settlement.

3 **CAUSE FOR DISCIPLINE**

4 **(Out of State Discipline)**

5 8. Respondent has subjected her Registered Nurse License to disciplinary action
6 under Code section 2761, subdivision (a)(4), in that her Ohio registered nurse license was
7 disciplined pursuant to Ohio Revised Code (ORC) section 4723 by the State of Ohio Board Of
8 Nursing (Ohio Board) in a disciplinary action, which resulted in her license being placed on
9 PROBATIONARY terms, conditions, and limitations, and in addition to the requirements of
10 license renewal, required to successfully complete ten hours of Chemical Dependency and one
11 hour of Ohio Law and Rules continuing nursing education. The circumstances are as follows.

12 9. Since January 2005, Respondent has been licensed to practice nursing as a
13 registered nurse in the State of Ohio by virtue of the issuance by the Ohio Board of registered
14 nurse license number RN-315816.

15 10. On November 18, 2011, pursuant to ORC Chapter 4723, the Ohio Board took
16 disciplinary action against Respondent's registered nurse license in a matter entitled, *Consent*
17 *Agreement Between Carrie Marie Meyer, R.N. and Ohio Board of Nursing*, by offering
18 stipulations, admissions, and understandings of terms, conditions, and limitations of settlement
19 for Respondent's concurrence and ratification by the Ohio Board. Pursuant to ORC section
20 4723.28, subdivision (B)(4), the Ohio Board found Respondent subject to discipline for
21 conviction of, a plea of guilty to, a judicial finding of guilt of, a judicial finding of guilt resulting
22 from a plea of no contest to, or a judicial finding of eligibility for intervention in lieu of
23 conviction for, any felony or of any crime involving gross immorality or moral turpitude. Thus,
24 pursuant to ORC section 4723.28, the Ohio Board suspended Respondent's registered nurse
25 license indefinitely, which was stayed subject to probationary terms, conditions, and limitations
26 for a minimum period of one year including monitoring, employment conditions, reporting
27 requirements, and temporary practice restrictions.

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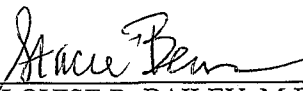
11. The facts that led to the discipline are as follows. Respondent reported on her renewal application that in August 2009, she pled no contest in Hamilton County Municipal Court case number C/09/TRC/22554/A to one count of operating a vehicle under the influence. Respondent also reported that in February 2011, she pled guilty to and was convicted in Dearborn (Indiana) Circuit Court case number 1011-FD-265 to operating a vehicle while intoxicated. On October 12, 2011, Respondent signed her acknowledgment of agreement and released the Ohio Board from any liability, waiving all her rights under Chapter 119 of the ORC and any and all claims or causes of action she may have against the Board, its members, officers, employees, and agents as they relate to matters that are subject of the Consent Agreement, which shall be considered a public record as that term is used in ORC section 149.43.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 681525, issued to Carrie Marie Meyer;
2. Ordering Carrie Marie Meyer to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

DATED: MARCH 9, 2013

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LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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